

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Brandon M. Pritchett,

Case No. 22-cv-1852 (KMM/DTS)

Plaintiff,

v.

ORDER

Sadie Tyere Hatley,

Defendant.

The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge David T. Schultz, dated September 22, 2022. Judge Schultz recommended that the case be dismissed without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) because Plaintiff Brandon M. Pritchett failed to respond to an Order requiring him to timely provide financial information to support his application to proceed *in forma pauperis*. [ECF Nos. 3–5]. The R&R noted that not only had the deadline for providing the required financial document passed with no response from Mr. Pritchett, but he “has not communicated with the Court about this case at all since commencing this action.” [ECF No. 5]. The same remains true today. No objections have been filed to the R&R in the time permitted.

The Court reviews de novo any portion of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). In the absence of objections, the

Court reviews the R&R for clear error. *Nur v. Olmsted County*, 563 F. Supp. 3d 946, 949 (D. Minn. 2021) (citing Fed. R. Civ. P. 72(b) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). Based on the Court's careful review of the R&R and the record in this case, the Court finds no clear error.

IT IS HEREBY ORDERED that this action is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b) for failure to prosecute.

Let Judgment be entered accordingly.

Date: November 7, 2022

s/Katherine Menendez
Katherine Menendez
United States District Judge